

JUN 14 2004

NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

Docket Number

25.0034

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on June 10, 2004.

Signature

Typed or

Printed Name Martin G. Linihan

In re Application of John K. Schneider et al.

Application Number 09/659,772

Filed September 11, 2000

For Left Hand Right Hand Invariant Dynamic Finger Positioning Guide

Group Art Unit 2623

Examiner S.A. Ahmed

Applicant hereby **appeals** to the Board of Patent Appeals and Interferences from the last decision of the examiner.

The fee for this Notice of Appeal is (37 CFR 1.17(b))

\$ 330

☐ Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is:

\$ _____

☒ A check in the amount of the fee is enclosed.

☐ Payment by credit card. Form PTO-2038 is attached.

☐ The Director has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.

☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 08-2442. I have enclosed a duplicate copy of this sheet.

☐ A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

I am the

☐ applicant/inventor

☐ assignee of record of the entire interest.

(See 37 CFR 3.71. Statement under 37

CFR 3.73(b) is enclosed. (Form PTO/SB/96)

☒ attorney or agent of record.

Registration number 24,926

☐ attorney or agent acting under 37 CFR 1.34(a)

Registration number if acting under 37 CFR 1.34(a). _____

Signature

Martin G. Linihan

Typed or printed name

(716) 848-1367

Telephone Number

June 10, 2004

Date

NOTE: Signatures of all the inventors of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required.

☐ Total of _____ forms are submitted.

RECEIVED

JUN 21 2004

Technology Center 2600

**FEE TRANSMITTAL
for FY 2004**

Effective 10/01/2003. Patent Fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27.

TOTAL AMOUNT OF PAYMENT	(\$330)	Application Number	09/659,772
		Filing Date	September 11, 2000
		First Named Inventor	John K. Schneider et al.
		Examiner Name	S.A. Ahmed
		Group/Art Unit	2623
		Attorney Docket Number	13325.0034

METHOD OF PAYMENT (check all that apply)☒ Check ☐ Credit Card ☐ Money Order ☐ Other ☐ None

☐ Deposit Account: Deposit Account Number: 08-2442
 Deposit Account Name: Hodgson Russ LLP

The Director is hereby authorized to (check all that apply)

☐ Charge fee(s) indicated below☒ Charge any fee deficiencies or credit any overpayments☐ Charge any additional fees during pendency of this application.☐ Charge fees indicated below, except for the filing fee to the above-identified deposit account**FEE CALCULATION****1. BASIC FILING FEE**Large Entity Small Entity

Fee Code	Fee (\$)	Fee Description	Fee Paid
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1001 770 2001 385 Utility filing fee \$

1002 340 2002 170 Design filing fee \$

1003 530 2003 265 Plant filing fee \$

1004 770 2004 385 Reissue filing fee \$

1005 160 2005 80 Provisional filing fee \$

SUBTOTAL (1)

\$0

2. EXTRA CLAIM FEES FOR UTILITY/ REISSUE

Fee Code	Fee (\$)	Fee Description	Fee Paid
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Total Claims / / -20** = / / x / / = \$

Independent Claims / / - 3** = / / x / / = \$

Multiple dependent / / x / / = \$

Large Entity Small Entity

Fee Fee Fee Fee

Code (\$)

Code (\$)

Fee Description

1202 18 2202 9 Claims in excess of 20 \$

1201 86 2201 43 Independent claims in excess of 3 \$

1203 290 2203 145 Multiple dependent claim if not paid \$

1204 86 2204 43 **Reissue independent claims over original patent \$

1205 18 2205 9 **Reissue claims in excess of 20 and over original patent \$

SUBTOTAL (2)

\$0

SUBMITTED BY:

Martin G. Linihan

Reg. No. 24926

SIGNATURE

DATE: June 10, 2004

Telephone: (716) 848-1367

FEE CALCULATION (continued)**3. ADDITIONAL FEES**Large EntitySmall Entity

Fee Code

Fee (\$)

Fee Code

Fee (\$)

Fee Description

Fee Paid

1051 130

2051 65

Surcharge - late filing fee or oath

\$

1052 50

2052 25

Surcharge - late provisional filing fee or cover sheet

\$

1053 130

1053 130

Non-English specification

\$

1812 2,520

1812 2,520

For filing a request for *ex parte* reexamination

\$

1804 920*

1804 920*

Requesting Publication of SIR prior to Examiner Action

\$

1805 1,840*

1805 1,840*

Requesting Publication of SIR after Examiner Action

\$

1251 110

2251 55

Extension for reply within first month

\$

1252 420

2252 210

Extension for reply within second month

\$

1253 950

2253 475

Extension for reply within third month

\$

1254 1,480

2254 740

Extension for reply within fourth month

\$

1255 2,010

2255 1,005

Extension for reply within fifth month

\$

1401 330

2401 165

Notice of Appeal

\$330

1402 330

2402 165

Filing a brief in support of an appeal

\$

1403 290

2403 145

Request for oral hearing

\$

1451 1,510

1451 1,510

Petition to institute a public use proceeding

\$

1452 110

2452 55

Petition to revive - unavoidable

\$

1453 1,330

2453 665

Petition to revive - unintentional

\$

1501 1,330

2501 665

10 advance copies

\$

1502 480

2502 240

Utility issue fee (or reissue)

\$

1503 640

2503 320

Design issue fee

\$

1460 130

1460 130

Petitions to the Commissioner

\$

1807 50

1807 50

Processing fee under 37 CFR 1.17(q)

\$

1806 180

1806 180

Submission of Information Disclosure Statement

\$

8021 40

8021 40

Recording each patent assignment per property (times number of properties)

\$

1809 770

2809 385

Filing a submission after final rejection(37 CFR 1.129(a))

\$

1810 770

2810 385

For each add'l invention to be examined(37 CFR 1.129(b))

\$

1801 770

2801 385

Request For Continued Examination (RCE)

\$

1802 900

1802 900

Request for Expedited Examination of a design application

\$

Other fee (specify)

\$

*Reduced by basic filing fee paid

SUBTOTAL (3)

\$330

I hereby Certify that this Correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on June 10, 2004.

Martin G. Linihan

Name
934499 v1 (K12B011.DOC)

Signature

June 10, 2004

Date of Signature